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October 13, 2021

Honorable Malachy E. Mannion
United States District Judge

Via Electronic Filing

Re: USA v. Mark Icker
3:19-CR-338

Dear Judge Mannion;

I am writing with regard to the re-sentencing in the above matter. On October 7, 2021, I had a legal call with Mr. Icker and he is respectfully requesting that the Court modify his sentence in accordance with the Third Circuit's decision without a resentencing hearing. Mr. Icker understands that the resentencing involves a modification of the judgment that can be accomplished on paper without a hearing. His presence in Court would require a difficult transfer from the BOP, which would involve him being subject to multiple quarantines on his way here and back as well as a loss of his job within the institution and a setback in programing and treatment. For these reasons, Mr. Icker, having been advised that he can request an in-court hearing, is requesting the Court simply modify the Judgment without him being present.

Respectfully,

s/Leo A. Latella

Leo A. Latella

Assistant Federal Public Defender

LAL/ja